

A WHACK AT WOODS

CLAYPOOL'S PUBLIC STATEMENT

Regarding the Election Cases He Assisted in Bringing Before the Federal Court—Some Defective Indictments.

Judge Claypool has at last spoken freely and fully of his position in the disarrangement which arose between Judge William Wood and himself in the handling of the cases in the Federal Court. The general aspects of the matter are well known to the public. It is charged that the first and second instructions of Judge Woods to the Grand Jury was not correct, and that the trial of election crimes were not consistent with each other; that while the first showed a possible acquittal, the second showed a conviction. The second nullified the effects of the first and prevented the indictment of W. W. Dudley and other persons charged with corruptly influencing the election. Judge Claypool, at that time Acting District Attorney, took issue with Judge Woods on the questions which arose, and the grand jury was eventually led by his declining to act further in the prosecution of the cases.

It is charged that Judge Claypool, on the matter in question, was not correct in the matter he took up in detail. He says that the intention of the Judge to give second instructions, containing what they did, was to nullify the effects of the first, and that when they came they destroyed the arrangements

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according to Judge Woods, no such chance can be made, it is admitted that such an attempt is the crime of bribery. It is not, as such, "then an attempt to bribe must fail to be a crime. Both depend upon the same facts, and the same law applies to both. The reason advising bribery is a law, and for this reason it is a crime."

"By departing from the law as laid down by himself in the case of the United States against Woods, the court is thus making its own courts whose decisions were no controlling authority to govern his conduct. Judge Woods has quashed more than a hundred cases, and has thus made himself a law, and is now according to a form long in use in the United States District Court for Indiana." At it the time the first preparations were being made to indict Dudley the Judge agreed with him to push the matter. Soon after the time the Judge was asked if he had become doubtful whether to advise the bribery, the crime was entered with the attorney about Mr. Claypoole. The Judge argued with him, but without effect. The Judge asked the opinion of Senator McDowell, and he advised him to advise the bribery. But his first instinct was to advise the attorney, and showed no sign of doubt. On the Tuesday evening before Christmas the Judge was asked whether the jury could indict for advising a person to bribe voters. The Judge declined to answer the question, saying this brought up a question of law about which he was not satisfied, and being asked to answer he responded: "Whether simply advising bribery was an offense."

There is no law to the defective indictments, it is proper practice to call the Grand Jury back to correct them, and is often done

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The indictment against Derk DeBullter, "Thy Grand Jurisdiction against thee, the Commonwealth DeBullter, for that thou, by election law is as bad as all the others" an Assistant City Attorney Horace Smith, with R. O. Hawkins, is an attorney for the defendant. "Just see here now (pointing to a copy of the indictment), this bill charges that you, Derk DeBullter, First Precinct in the Thirtieth Ward, you see this indictment, on the next page, you see that he, the said Derk DeBullter, was a qualified voter of that precinct, meaning that he was a resident of that Ward in the City of Center Township. It don't take a lawyer to see that that indictment is not good. The allegations are too much at variance. But we will not quarrel with you on that point, error, but shall demand a trial, and will be acquitted at once. There is no evidence against DeBullter. We are not going to waste your time. You are indicted for swearing in an illegal vote. In one part of the indictment he is said to be a voter in the First Precinct of the Fourth Ward, and in another part of the indictment he is said to be a voter in the First Precinct of Center Township. I don't understand why such mistakes are made in drawing the indictments in so many instances."

More Indictments Quashed.

Since yesterday election indictments against Charles Blunk and John Lewis, Terre Haute, and Charles R. James, of Poland, have been quashed under the ruling of the court.

Joseph a citizen has lived long at Niles, Johnson County, and has voted there ever since he came of age, and intends to make it his home. Last year he attended the State Normal School at Terre Haute, but visited home in vacations. Once while at home he remarked that he was not satisfied where he ought to vote. When election day approached he inquired into the matter, and an attorney at Terre Haute informed him that he must go home to vote. This he did, and for that, in connection with his previous remark that he was not certain where to vote, he was indicted by the Federal Grand Jury. This was one of the cases quashed.

"I have nothing whatever to say; not a word," replied Judge Woods to-day when News reporter asked for an expression concerning the attack by Mr. Claypool. "I can not enter into an endless controversy in this matter."

A friend of Judge Woods, who heard him reply, however, was not so reticent. "If Mr. Claypool had read the interview in The News of a day or two ago," he said, "he would have seen that he attacks Judge Woods for something that was contained in an interview which the Judge has expressly repudiated. That part of the distorted interview which Mr. Claypool cites as untrue

AGAINST TWO EVILS.

The W. C. T. U. Passes Resolutions Denouncing Wine Rooms and Bad Pictures.

At the meeting of Meridian W. C. T. U. yesterday afternoon in Christ Church Chapel, Miss Anna Burgess, Miss Laura Jennings and Miss L. E. Reed were assisted by the Evangelistic Department, of which Mrs. Crossings is Superintendent, to assist the Gospel Temperance Union in work for the reformed men and their families.

The following resolutions were adopted:

Whereas, The murder which has recently called public attention to the wine-rooms of the city, is

one of which it originated, in but one of many instances, the law is not being enforced in these places which foster indifferently to the vicious relation and the more drastic of home, day after day, the law is being broken, and it led to the greatest crime; and, therefore, we are asking that the law be enforced in connection with liquor saloons is unlawful.

Resolved, That we protest in the name of law and order, and in the name of the people, against the crime and crime to recognize their work of death, and we ask all citizens who desire the preservation of the law to join in this protest, and to be protesting against this evil and in the demand for enforcement, forbidding the keeping of such saloons to be enforced.

Resolutions were also adopted making maintenance of the law a duty of every citizen, and to suppress the "increasing boldness in the pointing of innocent theater bills, notably those of the pictures in liquor stores, news deposits and many signs above which dishonor womanhood, blight the youth of the nation, and destroy the concept and purity of childhood with the degradation of the law."

It was further stated that all every sign and such advertisements which are offered at every sign are asked to see that the law against exhibiting

Home Missionary Work.
A number of interesting papers relating to missionary work in this country and city were read at the closing session of the Women's Home Missionary Society. Mrs. Prettyman, who was for many years a missionary in Turkey, and who has been active in benevolent work at home, spoke of the need of missionary work in many places in this country and touched on the deplorable degradation of the wine room of this city. The following officers of the Society were elected: President—Mrs. Levi Eliet, Irvington.
Vice Presidents—Mrs. Berryhill and Mrs. Susan Midap, Indianapolis; Mrs. Robbins, Shelbyville.
Recording Secretary—Miss Mattie Sparks, Indianapolis.

Corresponding Secretary—Mrs. Tinsley, Shelbyville.

Treasurer—Mrs. Behymer, Indianapolis.

The society will be in session one day at Acton Park during the camp-meeting. The committee on program for this meeting consists of Mrs. Andrews, Mrs. Hyde, Mrs. Keen and Mrs. Tinsley. The speakers have been chosen for the annual meeting in Shelbyville to be 1924, including Mrs. Behymer, Mrs. Andrews, Mrs. Tinsley, Mrs. Ritter and Miss Mattie Sparks.

Expectations of the Railway Mail Clerks.

A. C. Burt, who has been appointed Superintendent of the Fifth Division of the Railway Mail Service, will take control of the Division next week. The Railway Mail Clerks, who meet in the Federal building to discuss matters and things, say they expect new

to begin very soon after the change. They do not expect any wholesale dismissals, however, and think the substitutes and later appointed clerks will be the first relieved. They evidently have little faith that the civil service law will be enforced to the letter and are nearly all preparing to step down with good grace when their turns come. Not a few of them are opposed to the law and declare positively that they will fight their way in the matter, each new administration would begin with a clean sweep of old officials.

Pardon of a Wife-Murderer.
Governor Hovey to-day pardoned Charles Schaefer, of Evansville, who was sentenced in 1883 to twenty-one years' imprisonment for killing his wife. The evidence at the time of his trial showed that he had been drinking.

been of a bery nature, and he was known as a honest and industrious German. He and his wife attended a social gathering, where they drank beer freely. They were both intoxicated when they started home together. On the way he drew a revolver, which he tried to make him put in his pocket. They got into a scuffle and the revolver was discharged, fatally wounding Mrs. Gabriel. The attorney who accompanied Schooner recommended the pardon, stating that they were not satisfied that the punishment was just.

Mrs. Gabriel Agnate Sues for Divorce.
Daisy Gabriel last evening filed a complaint for divorce from J. Lester Gabriel, charging cruel treatment and failure to provide. Gabriel was in the Clerk's office waiting for his attorneys to

year and file a suit—it is said against his wife and was served with a summons—his wife having brought her suit first. Some time ago she filed a petition for divorce, but it was withdrawn, the couple having settled their differences. But the differences did not stay settled, apparently. Gabriel is a well known Hebrew. Mrs. Gabriel, on the other hand, is well known as a Christian. She was taken to the Hebrew faith and was taken in the church with all its ritual and ceremonies. Both are well known in the Hebrew social circles.

Cross using revolver. For this Murray was fined. His fight against Cross for carrying concealed weapons, profanity and provoke, and last evening the two appeared together in court appearing to be friends. Cross was fined for carrying concealed weapons and the other charges against him were dismissed.

Consolidation of Two Railroads.

Under the name of the American Midland Railroad Company articles of consolidation have been filed with the secretary of state by the New York, Mahoning & Western Railroad Company, the Ohio, Indiana & Missouri River Railroad Company. The capital stock of the consolidated company is \$5,000,000, of which \$3,000,000 is to be paid by the stockholders of the New York & Mahoning and the other half by the Ohio, Indiana & Missouri River Company.

She Wants the Alimony.

In April, 1961, Eliza A. V. Roberts procured a divorce from Joseph D. Roberts, an Indianapolis street druggist, and was granted \$300 alimony. She claims that he has never paid this money, and this morning petitioned Judge Walker for an order compelling Roberts to appear and explain why the alimony has not been paid. The court issued the order.

Known as Professional Mendicants.

The Louisville Commercial states that the Taylor family, whose destination excited the pity of many Indianapolis people early in the week, are well known as professional mendicants, and the story told here about their recent visit to the city and their alleged robbery of a woman in the West is pronounced a fabrication.

Arrested for Robbing Freight Cars.

Willard Furches, arrested near Vincennes as a
